

AN ORDINANCE AMENDING THE BLACKSBURG TOWN CODE,
APPENDIX A, ZONING, AND APPENDIX B, SUBDIVISION,
TO INCORPORATE CHANGES RECOMMENDED UPON THE ANNUAL
REVIEW OF THE ZONING AND SUBDIVISION ORDINANCES

BE IT ORDAINED by the Council of the town of Blacksburg that Appendix A, Zoning Ordinance, and Appendix B, Subdivision Ordinance, Blacksburg Town Code (1998), as amended, and reordained as follows:

1. Section 1237(c), Zoning Ordinance, Blacksburg Town Code (1998), as amended, is amended and reordained as follows:

Sec. 1237 Nonconforming Signs.

* * *

(c) A permit shall be required for the repair or modification, including a change in sign faces, of any nonconforming sign. Sign faces or messages may be replaced on any nonconforming sign, provided no structural changes are required to make the replacement. The town council finds that a legal nonconforming sign structure or use representing a business, entity, or message that is no longer in existence constitutes a change in character of this structure or use. A sign shall be considered abandoned if the business for which the sign was erected has not been in operation for a period of at least two years. After a reasonable attempt to notify the property owner, the town may order the removal of the nonconforming, abandoned sign. *The town through its own agents or employees may enter the property upon which the sign is located and remove any such sign whenever the owner has refused to do so. The cost of such removal shall be chargeable to the owner of the property.*

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2. Section 2103, Zoning Ordinance, Blacksburg Town Code (1998), as amended, is amended and reordained as follows:

Sec. 2103. Definition of terms and use types.

* * *

BREW PUB – A restaurant/brewery that sells the majority of its beer on site. The beer is brewed primarily for sale in the restaurant and bar. The beer is often dispensed directly from the brewery’s storage tanks. Where allowed by law, brewpubs often sell beer “to go” and/or distribute to off site accounts. Off site sales is limited and not the primary use.

* * *

3. Section 3052, Zoning Ordinance, Blacksburg Town Code (1998), as amended, is amended and reordained as follows:

Sec. 3052. Site Development Regulations.

* * *

(a) Minimum lot requirements

(2) Lot frontage 45 ft, *except that a subdivided, two-family dwelling constructed on a lot having 45 feet or greater lot frontage may divide the lot frontage in half.*

* * *

(c) Minimum setback requirements

(1) Front yard 35 feet (may be reduced to 25 feet for use with parking in the rear *or may be reduced to 20 feet for use in the Historic Overlay District*)

* * *

4. Section 3062(a)(2), Zoning Ordinance, Blacksburg Town Code (1998), as amended, is amended and reordained as follows:

Sec. 3062. Site Development Regulations

* * *

(a) Minimum lot requirements

(2) Lot frontage 40 feet, *except that a subdivided, two-family dwelling constructed on a lot having 40 feet or greater lot frontage may divide the lot frontage in half.*

* * *

5. Section 3082 (a)(2), Zoning Ordinance, Blacksburg Town Code (1998), as amended, is amended and reordained as follows:

Sec. 3082 Site Development Regulations.

(a) Minimum lot requirements

* * *

(2) Lot frontage 60 feet, *except that a subdivided, two-family dwelling constructed on a lot having 60 feet or greater lot frontage may divide the lot frontage in half.*

* * *

6. Section 3092 (a)(2), Zoning Ordinance, Blacksburg Town Code (1998), as amended, is amended and reordained as follows:

Sec. 3092 Site Development Regulations.

(a) Minimum lot requirements

* * *

(2) Lot frontage 60 feet, *except that a subdivided, two-family dwelling constructed on a lot having 60 feet or greater lot frontage may divide the lot frontage in half.*

* * *

7. Section 3141 (a), Zoning Ordinance, Blacksburg Town Code (1998), as amended, is amended and reordained as follows:

(a) The following uses and structures are permitted by right subject to all other applicable requirements contained in this Ordinance:

* * *

Commercial*

Brew Pub

* * *

8. Section 3151(a), Zoning Ordinance, Blacksburg Town Code (1998), as amended, is amended and reordained as follows:

Sec. 3151 Permitted Uses.

* * *

(a) The following uses and structures are permitted by right subject to all other applicable requirements contained in this Ordinance:

Commercial*

Brew Pub

* * *

9. Section 3151(b), Zoning Ordinance, Blacksburg Town Code (1998), as amended, is amended and reordained as follows:

Sec. 3151 Permitted Uses.

* * *

(b) The following uses may be permitted with a Special Use Permit:

Civic

Club

* * *

10. Section 3182, Zoning Ordinance, Blacksburg Town Code (1998), as amended, is amended and reordained as follows:

Sec. 3182 Site Development Regulations.

* * *

(a) Minimum lot size: 15,000 square feet, except *that townhouses and two-family dwellings constructed on a 15,000 square foot or larger lot may be divided along the common wall or walls.*

* * *

(b) ~~Minimum street~~ Lot frontage: 30 feet, *except that a subdivided, two-family dwelling constructed on a lot having 30 feet or greater lot frontage may divide the lot frontage in half.*

* * *

11. Section 3263, Zoning Ordinance, Blacksburg Town Code (1998), as amended, is amended and reordained by the addition of subparagraph (e), as follows:

Sec. 3263 Site Development Standards.

* * *

(e) Open Space Design Overlay Districts shall provide a type B buffer where the developed area of the district abuts RR-1, RR-2, R-4, R-5, OTR or PR districts.

* * *

12. Section 4513, Zoning Ordinance, Blacksburg Town Code (1998), as amended, is amended and reordained as follows:

* * *

Sec. ~~4513~~ 4514 Business Support Services.

* * *

13. Section 4513, Zoning Ordinance, Blacksburg Town Code (1998), as amended, is amended and reordained as follows:

* * *

Sec. 4513 Brewpub.

(a) General Standards

- (1) The use shall conform to all Restaurant, General, Use and Design Standards as set forth in Section 4553*
- (2) Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.*
- (3) Loading areas shall be sited in such a way so as to minimize the impact on any surrounding neighborhood. Sufficient screening meeting the standards of Article V, Division 3 of this ordinance shall be provided to screen and diffuse noise impacts on adjacent residences. A type C buffer yard shall be required when a loading area is located adjacent to a residential use.*
- (4) The street elevation of the principal structure shall have at least one street-oriented entrance, and contain the principal windows of the store.*
- (5) The use of tractor-trailers or similarly sized vehicles is prohibited for any type of delivery of goods produced on-site for off-site sales or consumption.*
- (6) A maximum of one delivery vehicle is permitted.*

(b) Additional Standards in the DC district:

- (1) *Delivery activities for beer produced on-site for off-site sales and consumption shall be limited to non-peak traffic hours at the use site.*

* * *

14. Section 4231(b), Zoning Ordinance, Blacksburg Town Code (1998), as amended, is amended and reordained as follows:

Sec. 4231 Townhouse.

* * *

(b) General Standards:

- (13) The floor to area ratio shall be computed as the gross floor area of *all dwelling units to the parent parcel* ~~the individual dwelling unit to that unit's lot area.~~

* **

15. Section 5220 (e), Zoning Ordinance, Blacksburg Town Code (1998), as amended, is amended and reordained as follows:

Sec. 5220 Minimum Parking Required.

* * *

(e) Commercial Use Types

<u>Use Type</u>	<u>Parking Required</u>
<i>Brewpub</i>	<i>1 space per 50 square feet of seating area; 1 space per 400 sq. ft. of space not devoted to seating or waiting, plus 1 space per delivery vehicle</i>

* * *

16. Section 5-401(b), Subdivision Ordinance, Blacksburg Town Code (1998), as amended, is amended and reordained as follows:

Sec. 5-401 Sidewalks required.

* * *

(b) Sidewalks shall be constructed of concrete and shall be a minimum of 5 feet in width. A minimum ~~two~~ *four* foot planting strip is required between the curb and sidewalk for pedestrian/vehicle separation and to provide for mail box and utility service placement.

* * *

~~17. The Town of Blacksburg Official Zoning District Map is amended, by rezoning Tax Map Number 225 A-1 from GC, General Commercial, to RM-48, Medium Density Multi-unit Residential.~~

~~18~~ 17. This ordinance shall be effective on and after the date of its adoption.

Mayor

ATTEST:

Town Clerk

1st Reading: _____

2nd Reading & Adoption: _____